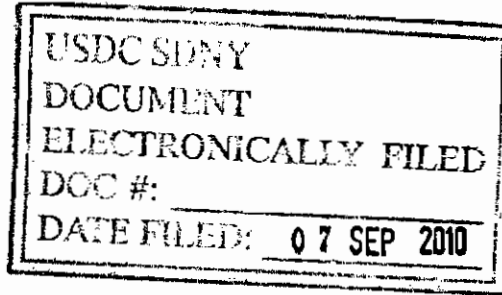


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September 3, 2010

BY FACSIMILE (212-805-0426)

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2210
New York, NY 10007

MEMO ENDORSED

Re: *Otis Duffy v. Bosley Inc.*
Case No. 10-CV-1572 (LTS)(JCF)

Dear Judge Swain:

This firm represents Bosley, Inc. ("Bosley") in the above-referenced matter. Pursuant to Your Honor's Individual Practices, we write to request a second brief extension of time, up to and including September 30, 2010, to answer, move, or otherwise respond to Plaintiff's Second Amended Complaint.

Bosley's responsive pleading to Plaintiff's Second Amended Complaint is due on September 9, 2010. As we indicated in our August 5, 2010, letter to the Court, the parties participated in mediation before JAMS on July 6, 2010, and have been engaged in settlement negotiations since that time. The requested brief additional extension will allow the parties to continue settlement negotiations and hopefully finalize settlement, without having to unnecessarily prepare a responsive pleading. Bosley previously requested an extension with respect to Plaintiff's Second Amended Complaint in connection with the same settlement negotiations, and requests a second brief extension because settlement negotiations have unexpectedly taken longer than anticipated. This second extension will not affect any other scheduled dates, and Plaintiff's counsel consents to the requested extension.

Thank you for Your Honor's consideration of this request.

The request is granted.

Respectfully submitted,

SO ORDERED.

SEYFARTH SHAW LLP

NEW YORK, NY

[Signature]
LAURA TAYLOR SWAIN

[Signature]

Alysa M. Barancik

Sept 7, 2010 UNITED STATES DISTRICT JUDGE

cc: Derek T. Smith, Esq. (via email - dtslaws@msn.com)
Hema Chatlani, Esq.